

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARY E. SHEPARD AND THE)
ILLINOIS STATE RIFLE ASSOCIATION,)
)
Plaintiffs)

vs.)

No. 3:11-cv-00405-WDS-PMF

LISA M. MADIGAN, solely in her official)
capacity as ATTORNEY GENERAL OF)
ILLINOIS, GOVERNOR PATRICK J.)
QUINN, solely in his official capacity as)
Governor of the State of Illinois, TYLER)
EDMONDS, solely in his official capacity)
as the State's Attorney of Union County,)
Illinois, and SHERIFF DAVID LIVESAY,)
solely in his official capacity as Sheriff)
of Union County, Illinois,)
)
Defendants.)

**DEFENDANT, SHERIFF DAVID LIVESAY'S,
MOTION TO DISMISS AS MOOT PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURE 12(b)(1)**

NOW Comes the Defendant Sheriff David Livesay, solely in his official capacity as Sheriff of Union County, by Joseph A. Bleyer of Bleyer and Bleyer, his attorneys, and for his Motion to Dismiss as Moot Pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, says:

1. That the Co-Defendants, Lisa Madigan, Patrick J. Quinn and Tyler Edmonds, filed herein a Motion to Dismiss as Moot (Doc 73) on July 9, 2013.

2. That the State Defendants requested that the Court dismiss the Plaintiffs' Complaint as moot based upon the Illinois State Legislature passing a Concealed Carry

Law.

3. That the Defendant, David Livesay, Union County Sheriff, hereby adopts the State Defendants, Lisa Madigan, Patrick J. Quinn and Tyler Edmonds', Motion to Dismiss as Moot (Doc 73) as his Motion to Dismiss the Plaintiffs' Complaint based upon the legal argument and cases cited by the Co-Defendants in their Motion to Dismiss as Moot.

WHEREFORE, Defendant Sheriff David Livesay, solely in his official capacity as Sheriff of Union County, prays that this Court grant this Motion to Dismiss the Plaintiffs' Complaint for lack of jurisdiction.

BLEYER and BLEYER

S/Joseph A. Bleyer
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Attorneys for Defendant, Sheriff David Livesay

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CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2013, I electronically filed an Motion to Dismiss as Moot Pursuant to Federal Rules of Civil Procedure 12(b)(1) on behalf of Sheriff David Livesay, solely in his official capacity as Sheriff of Union County, with the Clerk of the Court using CM/ECF System which will send notifications of such filing to the following:

William N. Howard
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111 S. Wacker Dr., 45th Floor
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I hereby certify that on July 12, 2013, I mailed by United States Postal Service, the documents to the following nonregistered participants:

None

S/JOSEPH A. BLEYER

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